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DEPT FOR DRL/AWH AND ILCSR, WHA/MEX, USDOL FOR ILAB

E.O. 12958: N/A

TAGS: [ELAB](#) [ECON](#) [PGOV](#) [ENGR](#) [PINR](#) [PHUM](#) [MX](#)

SUBJECT: INTERNATIONAL SOLIDARITY WITH MEXICO'S NATIONAL MINERS UNION

REF: (A) MEXICO 1191 (B) 07 MEXICO 1925

11. SUMMARY: On July 8, an international delegation of legislators and union officials arrived in Mexico for a five-day visit to review the circumstances surrounding the long running dispute between Mexico's National Miners Union (SNTMMSRM), the Mexican mining industry and the GOM. The delegation consisted of legislators from Canada, Australia and Peru as well as union officials from 13 countries; among them members of the United Steelworkers Union (USW) and the AFL-CIO. The delegation met with the GOM's Labor Secretary, Mexico City's Mayor, various Mexican Congressmen and local labor activists. They also all called on their respective embassies. The US union officials met with post's A/DCM on July 9. The main points raised by the US union officials during this meeting were: a request that the embassy keep Washington informed of the SNTMMSRM situation, an expression of concern that there is no rule of law in Mexico, especially with respect to labor rights; a lament that the SNTMMSRM's leader was being persecuted because he pushed for better wages for the workers; an assertion that the miners' union situation is proof that the NAALC (NAFTA side agreement) does not work; a complaint that the promise made that NAFTA would raise wages and living standards in Mexico was false and that this was having a negative impact on US wages; and a charge that mining conditions in Mexico are not safe. Finally the US union officials asked if the rule of law in Mexico was not being respected on something as basic as labor rights how could the USG expect anyone to take seriously the rule of law components of the Merida Initiative. A/DCM stressed how importantly the USG views safety issue and promised to relay the union officials concerns to Washington. He underscored the importance of institution building under the Merida Initiative and other programs. END SUMMARY.

PROBLEMS WITH THE MINERS

12. An international delegation of legislators and union officials arrived in Mexico on July 8, to review the long running dispute between Mexico's National Miners Union (SNTMMSRM), the GOM and the Mexican mining industry. Some of the issues of concern to the delegation included settling a two-year old strike at one of Mexico's largest copper mines, guaranteeing the recovery of the remains of miners killed in the February 2006 Pasta de Conchas coal mine disaster in the northern border state of Coahuila,

freeing imprisoned labor leaders, and allowing Mexican mine workers' union leader Napoleon Gomez Urrutia to return unmolested from self-imposed Canadian exile. Gomez fled to Canada following a struggle that originally began in 2002 between him and another union official, Elias Morales Hernandez, to become SNTMMSRM Secretary General. Although Gomez was ultimately declared the winner, in 2006 the then administration of President Vicente Fox used an allegation that he embezzled USD 55 million in union trust funds to oust him from his union leadership position. Initially Gomez provided very little information to account for the alleged missing funds which were last seen in the local branch of a Canadian bank. His supporters now claim a Gomez has since provided a complete accounting for the missing funds by offering to make public various banking and financial documents which fully address the allegations made against him.

INTERNATIONAL SUPPORT FOR THE SNTMMSRM

13. Gomez' removal as union leader generated considerable controversy in labor circles both within Mexico and abroad. Most, although certainly not all, of the union's rank and file continued to support Gomez. International, the United Steelworkers Union (USW) in the US and Canada strongly supported Gomez. The USW even filed a submission (complaint) on the SNTMMSRM's behalf under the terms of the North American Agreement on Labor Cooperation (NAALC), a side agreement to NAFTA. Unfortunately for the SNTMMSRM, the submission was declined. This, however, did not stop

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international support for Gomez from growing.

14. Much of Gomez' and the SNTMMSRM's initial support came from unions in the US and Canada but a number of international unions and labor organizations have now taken up his cause. The International Metalworkers Federation (IMF) has been very active on behalf of Gomez and the SNTMMSRM's as have the ILO's Committee of Freedom of Association and the International Federation Chemical, Energy and General Workers' Union (ICEM). After several years of advocating on behalf of the SNTMMSRM from abroad, the National Miners Union's international supporters sent a delegation to Mexico to examine the situation first-hand and to express their solidarity with the embattled organization.

15. The delegation included legislators from Canada (Jack Layton - New Democratic Party), Australia (Graham Perrett Australian Labor Party) and Peru (Maria Sumire de Conde - Union for Peru). It also included union officials from Canada, the US, Germany, Argentina, Brazil, Spain, Italy, Norway, Peru, Poland, South Africa, Switzerland and Sweden. During the five-day visit Canadian Jack Layton met with GOM Labor Secretary Javier Lozano. The entire delegation met with Mexico City Mayor Marcelo Erbrard as well as with various members of the Mexican Congress. They all also arranged to call on their respective embassies to voice their concerns. The US officials from the USW and the AFL-CIO met with Mission Mexico's A/DCM on July 9.

US LABOR UNION OFFICIALS EXPRESS SOLIDARITY WITH SNTMMSRM

16. During the July 9 meeting between the US members of the delegation and post's A/DCM the main points raised were as follows. First and foremost the US members asked the Embassy to keep Washington informed of the SNTMMSRM situation. They worried that the issue might be ignored without regular updates from Mission Mexico. Next was the oft repeated complaint that USG claims that NAFTA would raise wages and living standards in Mexico were false. In fact, they averred that NAFTA was lowering wages and living standards in Mexico and that this was putting

pressure on US workers who are being pushed to compete with Mexican workers based on lowered wages. The US delegation members then pointed to the miners' union situation as proof that the NAALC does not work and that the failure of these types of side accords, in combination with the global economic crisis, would turn people worldwide against all free trade agreements.

¶17. The US members asserted that the miner's union situation showed clearly that there is no rule of law in Mexico, especially with respect to labor rights. For example the rights to bargain collectively and freedom of association are not respected. They lamented that the SNTMMSRM's leader was being persecuted by the GOM, repeatedly having to defend himself in court from bogus charges based on forged documents, simply because he pushed for better wages for the workers. The US delegation members spoke at length about the lack of safe working conditions in the Mexican mining industry and attributed that to indifference by the GOM and the mine owners. Finally the US delegation members asked if the rule of law in Mexico was not respected on something as basic as labor rights how could the USG expect anyone to take seriously the rule of law components of the Merida Initiative. In response the A/DCM stressed how importantly the USG views safety issues and promised to convey the union officials concerns to Washington. He affirmed that institution building is a key element of the Merida initiative and conveyed how seriously the USG administration regards labor and environmental issues.

COMMENT

¶18. The situation involving the National Miners Union (SNTMMSRM) and its leader Napoleon Gomez Urrutia is extremely complicated. There is good reason to believe that all the parties involved in this situation have behaved in ways that are less than honest. In post's view many of the

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criticism made by the international delegation have merit. On the other hand, there is substantial circumstantial evidence to indicate that Gomez is not the completely guiltless and unfairly persecuted individual that the international delegation made him out to be. That said, it will take considerable hard evidence to shake the faith that the SNTMMSRM's and Gomez' international supporters have in him. This will undoubtedly mean that the USW and the AFL-CIO will continue to press the USG to help resolve the Miners' Union situation in the SNTMMSRM's favor. Visit Mexico City's Classified Web Site at <http://www.state.sgov.gov/p/wha/mexicocity> and the North American Partnership Blog at <http://www.intelink.gov/communities/state/nap/>

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